

STATE OF IOWA
DEPARTMENT OF COMMERCE
UTILITIES BOARD

IN RE: MIDAMERICAN ENERGY COMPANY	DOCKET NO. GCU-02-1
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ORDER CANCELLING HEARING AND SETTING BRIEFING SCHEDULE

(Issued December 19, 2002)

On August 14, 2002, MidAmerican Energy Company (MidAmerican), on behalf of itself and as agent for 14 joint owners, filed with the Utilities Board (Board) an application pursuant to Iowa Code chapter 476A for a generating facility certificate to construct and operate a 750 MW coal-fired electric generating facility. The proposed facility is called the Council Bluffs Energy Center Unit 4 (CBEC-4) and is located at MidAmerican's existing Council Bluffs Energy Center in Council Bluffs, Iowa. The Board docketed the filing and set a procedural schedule by order dated September 26, 2002.

There is one other party to this proceeding, the Consumer Advocate Division of the Department of Justice (Consumer Advocate). On November 15, 2002, Consumer Advocate filed a statement in lieu of testimony. Consumer Advocate did not object to the Board granting MidAmerican a certificate if terms and conditions concerning transmission are contained in any final certificate. Pursuant to the procedural schedule, prefiled testimony was due on or before November 22, 2002.

On November 26, 2002, MidAmerican filed a motion for cancellation of the evidentiary hearing scheduled for January 28, 2002. In support of its motion, MidAmerican said it and Consumer Advocate have agreed to stipulate that conditions contained in the motion be made part of any Board order granting a certificate. The conditions are:

1. MidAmerican and the other Joint Owners of CBEC-4 shall receive all appropriate transmission interconnection, transmission service and other transmission related authorizations currently and prospectively required prior to operating CBEC-4 on the transmission system. These terms and conditions are not meant to prejudice the Joint Owners' rights to pursue the remedies available to them in resolving issues with the appropriate transmission authorities.
2. MidAmerican and other Joint Owners have filed with the Board evidence that as of this date the Mid-Continent Area Power Pool's (MAPP) Design Review Committee, the appropriate MAPP authority, has approved the interconnection of CBEC-4 to the regional transmission system and has also approved transmission service for CBEC-4 required by MidAmerican and the other Joint Owners for transmission service across the MidAmerican transmission system.

Consumer Advocate does not have questions for MidAmerican witnesses on cross-examination or witnesses of its own to present. In siting cases, a major focus after the passage of House File 577 is the impact of the proposed facility on the reliability and operation of the existing transmission system in the region. The evidence filed and conditions agreed to by MidAmerican indicate that the plant would not be operated until appropriate transmission authorizations are obtained. After

reviewing the evidence filed in this proceeding, the Board has no additional questions on cross-examination for MidAmerican's witnesses.

Because no one has questions for the witnesses at hearing, the hearing will be cancelled. In the event any party desires to file a brief, a briefing schedule will be set.

IT IS THEREFORE ORDERED:

1. The motion to cancel evidentiary hearing filed by MidAmerican Energy Company on November 26, 2002, is granted and the hearing scheduled for January 28, 2003, is cancelled.
2. The following briefing schedule is established for this proceeding:
 - a. All parties may file initial briefs on or before January 6, 2003.
 - b. All parties who filed initial briefs may file reply briefs on or before January 13, 2003.

UTILITIES BOARD

/s/ Diane Munns

/s/ Mark O. Lambert

ATTEST:

/s/ Sharon Mayer
Executive Secretary, Assistant to

/s/ Elliott Smith

Dated at Des Moines, Iowa, this 19th day of December, 2002.